

# **JOURNAL OF THE HOUSE**

## **EIGHTY-EIGHTH SESSION**

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THIRTY-FOURTH DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Tuesday, March 5, 2013

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Pastor Sarah Goldammer, followed by the Pledge of Allegiance led by House pages Cara Beck, Leah Gosch, and Cameron Lux.

Roll Call: All members present except Rep. Carson who was excused.

### **APPROVAL OF THE JOURNAL**

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the thirty-third day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Brian G. Gosch, Chair

Which motion prevailed.

**HONORED GUESTS**

Rep. Wink introduced Molly Hermann of Sturgis, the 2012 South Dakota Girls State Governor.

**REPORTS OF CONFERENCE COMMITTEES**

Cc39A

MR. SPEAKER:

The Conference Committee respectfully reports that it has considered SB 39 and the amendments thereto made by the House, and the disagreement of the two houses thereon, and recommends that SB 39 be amended as follows:

39rk

On page 5, after line 7 of the House engrossed bill, insert:

" Section 4. That § 23A-27-1.1 be amended to read as follows:

23A-27-1.1. ~~Upon~~ If a defendant has been convicted of an A, B, or C felony, upon request to the court by a victim and before imposing sentence on a defendant, the victim, in the discretion of the court, may has the right to orally address the court concerning the emotional, physical, and monetary impact of the defendant's crime upon the victim and the victim's family, and may comment upon the sentence which may be imposed upon the defendant.

If a defendant has been convicted of any other felony or misdemeanor, upon request to the court by a victim and before imposing sentence on a defendant, the victim, in the discretion of the court, may orally address the court concerning the emotional, physical, and monetary impact of the defendant's crime upon the victim and the victim's family, and may comment upon the sentence which may be imposed upon the defendant.

The defendant shall be permitted to respond to such statements orally or by presentation of evidence and shall be granted a reasonable continuance to refute any inaccurate or false charges or statements.

For the purpose of this section, the term, victim, means the actual victim or the parent, spouse, next of kin, legal or physical custodian, guardian, foster parent, case worker, victim advocate, or mental health counselor of any actual victim who is incompetent by reason of age or physical condition, who is deceased, or whom the court finds otherwise unable to comment.

Section 5. That § 23A-27-1.3 be amended to read as follows:

23A-27-1.3. ~~Upon~~ If a defendant has been convicted of an A, B, or C felony, upon request to the court by a victim and before imposing sentence on a defendant, a victim, in the discretion

1 ~~of the court, may~~ has a right to address the court in writing concerning the emotional, physical,  
2 and monetary impact of the defendant's crime upon the victim and the victim's family, and may  
3 comment upon the sentence which may be imposed upon the defendant.

4 If a defendant has been convicted of any other felony or misdemeanor, upon request to the  
5 court by a victim and before imposing sentence on a defendant, the victim, in the discretion of  
6 the court, may address the court in writing concerning the emotional, physical, and monetary  
7 impact of the defendant's crime upon the victim and the victim's family, and may comment upon  
8 the sentence which may be imposed upon the defendant.

9 The defendant shall be permitted to respond to such statements and shall be granted a  
10 reasonable continuance to refute any inaccurate or false charges or statements.

11 For the purpose of this section, the term, victim, means anyone adversely impacted  
12 emotionally, physically, or monetarily by the defendant's crime."

13 Respectfully submitted,  
14 Mike Stevens  
15 House Committee Chair

Respectfully submitted,  
Craig Tieszen  
Senate Committee Chair

## 16 **MESSAGES FROM THE SENATE**

17 MR. SPEAKER:

18 I have the honor to return herewith HB 1018, 1061, 1124, 1149, 1151, 1152, 1167, 1194,  
19 1198, and 1246 which have passed the Senate without change.

20 Also MR. SPEAKER:

21 I have the honor to return herewith HB 1045, 1098, 1233, and 1234 which have been  
22 amended by the Senate and your concurrence in the amendments is respectfully requested.

23 Also MR. SPEAKER:

24 I have the honor to inform your honorable body that the Senate has concurred in House  
25 amendments to SB 34, 44, 84, 120, 174, and 198.

26 Respectfully,  
27 Jeannette Schipper, Secretary

**1                    CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES**

2            Rep. Verchio moved that the report of the Conference Committee on SB 151 as found on  
3 page 632 of the House Journal be adopted.

4            The question being on Rep. Verchio's motion that the report of the Conference Committee  
5 on SB 151 be adopted.

6            And the roll being called:

7            Yeas 67, Nays 1, Excused 2, Absent 0

8            Yeas:

9 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Dryden; Duvall; Ecklund; Erickson;  
10 Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks;  
11 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser;  
12 Killer; Kirschman; Kopp; Lust; Magstadt; May; Mickelson; Miller; Munsterman; Nelson;  
13 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;  
14 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;  
15 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;  
16 Speaker Gosch

17           Nays:

18 Latterell

19           Excused:

20 Carson; Cronin

21           So the motion having received an affirmative vote of a majority of the members-elect, the  
22 Speaker declared the motion carried and the report was adopted.

**23                    CONSIDERATION OF REPORTS OF COMMITTEES**

24           Rep. Lust moved that the reports of the Standing Committees on

25 Local Government on SB 114 as found on page 612 of the House Journal; also

26 Local Government on SB 206 as found on page 613 of the House Journal; also

27 State Affairs on SB 235 as found on page 613 of the House Journal; also

28 Commerce and Energy on SB 195 as found on page 629 of the House Journal; also

29 Appropriations on SB 15 as found on page 651 of the House Journal; also

- 1 Appropriations on SB 76 as found on page 652 of the House Journal; also  
2 Appropriations on SB 90 as found on page 652 of the House Journal; also  
3 Appropriations on SB 138 as found on page 685 of the House Journal; also  
4 Appropriations on SB 155 as found on page 686 of the House Journal; also  
5 Appropriations on SB 159 as found on page 686 of the House Journal; also  
6 Appropriations on SB 233 as found on page 686 of the House Journal; also  
7 Appropriations on SB 236 as found on page 687 of the House Journal; also  
8 Appropriations on SB 237 as found on page 687 of the House Journal be adopted.  
9 Which motion prevailed.

10 **SECOND READING OF CONSENT CALENDAR ITEMS**

- 11 SB 75: FOR AN ACT ENTITLED, An Act to adopt updated guidelines for the evaluation  
12 of permanent impairment in connection with workers' compensation claims.

13 (Journal correction: See page 791 of the House Journal.)

- 14 Was read the second time.

- 15 The question being "Shall SB 75 pass as amended?"

- 16 And the roll being called:

- 17 Yeas 63, Nays 6, Excused 1, Absent 0

- 18 Yeas:

19 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
20 Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks;  
21 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer;  
22 Kirschman; Kopp; Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman; Novstrup  
23 (David); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds;  
24 Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson;  
25 Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

- 26 Nays:

27 Greenfield; Kaiser; May; Nelson; Olson (Betty); Russell

- 28 Excused:

29 Carson

1 So the bill having received an affirmative vote of a majority of the members-elect, the  
2 Speaker declared the bill passed and the title was agreed to.

3 SB 185: FOR AN ACT ENTITLED, An Act to clarify the authority of the interim rules  
4 review committee.

5 Was read the second time.

6 The question being "Shall SB 185 pass as amended?"

7 And the roll being called:

8 Yeas 63, Nays 6, Excused 1, Absent 0

9 Yeas:

10 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
11 Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks;  
12 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer;  
13 Kirschman; Kopp; Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman; Novstrup  
14 (David); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds;  
15 Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson;  
16 Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

17 Nays:

18 Greenfield; Kaiser; May; Nelson; Olson (Betty); Russell

19 Excused:

20 Carson

21 So the bill having received an affirmative vote of a majority of the members-elect, the  
22 Speaker declared the bill passed and the title was agreed to.

23 SB 186: FOR AN ACT ENTITLED, An Act to establish Good Earth State Park at Blood  
24 Run in Lincoln County.

25 Was read the second time.

26 The question being "Shall SB 186 pass?"

27 And the roll being called:

28 Yeas 63, Nays 6, Excused 1, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
3 Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks;  
4 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer;  
5 Kirschman; Kopp; Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman; Novstrup  
6 (David); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds;  
7 Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson;  
8 Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

9 Nays:

10 Greenfield; Kaiser; May; Nelson; Olson (Betty); Russell

11 Excused:

12 Carson

13 So the bill having received an affirmative vote of a majority of the members-elect, the  
14 Speaker declared the bill passed and the title was agreed to.

15 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

16 SJR 2: A JOINT RESOLUTION, Proposing and submitting to the electors at the next  
17 general election amendments to Article XI of the Constitution of the State of South Dakota,  
18 relating to the vote required to increase taxes.

19 Was read the second time.

20 Rep. Lust moved the previous question.

21 Which motion prevailed.

22 The question being "Shall SJR 2 pass as amended?"

23 And the roll being called:

24 Yeas 34, Nays 35, Excused 1, Absent 0

25 Yeas:

26 Cammack; Conzet; Cronin; Dryden; Duvall; Erickson; Greenfield; Haggar (Don); Haggar  
27 (Jenna); Hajek; Hansen; Heinemann (Leslie); Hickey; Hoffman; Johns; Kaiser; Latterell;  
28 Magstadt; May; Munsterman; Nelson; Novstrup (David); Olson (Betty); Romkema; Rounds;  
29 Russell; Sly; Solum; Stalzer; Steele; Verchio; Wick; Wink; Speaker Gosch

1 Nays:

2 Bartling; Bolin; Campbell; Craig; Ecklund; Feickert; Feinstein; Gibson; Hawks; Hawley;  
3 Heinert; Hunhoff (Bernie); Killer; Kirschman; Kopp; Lust; Mickelson; Miller; Otten (Herman);  
4 Parsley; Peterson; Qualm; Rasmussen; Ring; Rozum; Schaefer; Schoenfish; Schrempp; Soli;  
5 Stevens; Tulson; Tyler; Werner; Westra; Wismer

6 Excused:

7 Carson

8 So the resolution not having received an affirmative vote of a majority of the members-  
9 elect, the Speaker declared the resolution lost.

10 Rep. Hoffman announced his intention to reconsider the vote by which SJR 2 lost.

11 SB 194: FOR AN ACT ENTITLED, An Act to extend the sunset date for certain  
12 expenditures from a school district's capital outlay fund.

13 Was read the second time.

14 194ma

15 Rep. Dryden moved that SB 194 be amended as follows:

16 On page 2, line 13, of the printed bill, delete "2018" and insert "2016".

17 A roll call vote was requested and supported.

18 The question being on Rep. Dryden's motion that SB 194 be amended.

19 And the roll being called:

20 Yeas 23, Nays 46, Excused 1, Absent 0

21 Yeas:

22 Cammack; Campbell; Dryden; Erickson; Haggar (Don); Haggar (Jenna); Hajek; Hoffman;  
23 Johns; Kaiser; Latterell; Lust; Novstrup (David); Rounds; Rozum; Russell; Sly; Solum; Stalzer;  
24 Verchio; Wick; Wink; Speaker Gosch



1 Nays:

2 Bartling; Bolin; Conzet; Craig; Cronin; Duvall; Ecklund; Feickert; Feinstein; Gibson;  
3 Greenfield; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hunhoff (Bernie);  
4 Killer; Kirschman; Kopp; Magstadt; May; Mickelson; Miller; Munsterman; Nelson; Olson  
5 (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Schaefer;  
6 Schoenfish; Schrempp; Soli; Steele; Stevens; Tulson; Tyler; Werner; Westra; Wismer

7 Excused:

8 Carson

9 So the motion not having received an affirmative vote of a majority of the members  
10 present, the Speaker declared the motion lost.

11 Rep. Lust moved the previous question.

12 Which motion prevailed.

13 The question being "Shall SB 194 pass?"

14 And the roll being called:

15 Yeas 52, Nays 17, Excused 1, Absent 0

16 Yeas:

17 Bartling; Bolin; Cammack; Conzet; Craig; Cronin; Duvall; Ecklund; Erickson; Feickert;  
18 Gibson; Greenfield; Haggard (Jenna); Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert;  
19 Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman; Latterell; May; Miller;  
20 Munsterman; Nelson; Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen;  
21 Ring; Romkema; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Steele; Stevens; Tulson;  
22 Tyler; Werner; Westra; Wink; Wismer; Speaker Gosch

23 Nays:

24 Campbell; Dryden; Feinstein; Haggard (Don); Hajek; Kaiser; Kopp; Lust; Magstadt; Mickelson;  
25 Novstrup (David); Rounds; Rozum; Russell; Stalzer; Verchio; Wick

26 Excused:

27 Carson

28 So the bill having received an affirmative vote of a majority of the members-elect, the  
29 Speaker declared the bill passed and the title was agreed to.

30 SB 114: FOR AN ACT ENTITLED, An Act to provide a definition of smoking and to  
31 permit smoking of hookah or shisha tobacco in certain licensed establishments.

32 Was read the second time.

1 114fb

2 Rep. Craig moved that SB 114 be amended as follows:

3 On the House Local Government Committee engrossed bill delete all amendments and  
4 restore to the printed version.

5 Rep. Lust moved the previous question.

6 Which motion prevailed.

7 Rep. Craig's motion prevailed.

8 Rep. Nelson moved that SB 114 be laid on the table.

9 The question being on Rep. Nelson's motion that SB 114 be laid on the table.

10 And the roll being called:

11 Yeas 33, Nays 36, Excused 1, Absent 0

12 Yeas:

13 Bartling; Campbell; Conzet; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Hawks;  
14 Heinert; Hunhoff (Bernie); Johns; Kaiser; Kirschman; Kopp; Magstadt; May; Munsterman;  
15 Nelson; Olson (Betty); Parsley; Peterson; Rasmussen; Ring; Rounds; Russell; Schrempp; Sly;  
16 Soli; Tulson; Werner; Wismer; Speaker Gosch

17 Nays:

18 Bolin; Cammack; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson; Haggar (Jenna); Hajek;  
19 Hansen; Hawley; Heinemann (Leslie); Hickey; Hoffman; Killer; Latterell; Lust; Mickelson;  
20 Miller; Novstrup (David); Otten (Herman); Qualm; Romkema; Rozum; Schaefer; Schoenfish;  
21 Solum; Stalzer; Steele; Stevens; Tyler; Verchio; Westra; Wick; Wink

22 Excused:

23 Carson

24 So the motion not having received an affirmative vote of a majority of the members-elect,  
25 the Speaker declared the motion lost.

26 Rep. Lust moved the previous question.

27 Which motion prevailed.

1 The question being "Shall SB 114 pass as amended?"

2 And the roll being called:

3 Yeas 33, Nays 36, Excused 1, Absent 0

4 Yeas:

5 Bartling; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson; Feickert; Gibson; Haggar (Jenna);  
6 Hajek; Hansen; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie); Kirschman; Latterell;  
7 Mickelson; Miller; Otten (Herman); Parsley; Qualm; Ring; Schoenfish; Solum; Stalzer; Stevens;  
8 Tyler; Verchio; Westra; Wick; Wismer

9 Nays:

10 Bolin; Cammack; Campbell; Conzet; Feinstein; Greenfield; Haggar (Don); Hawks; Hawley;  
11 Heinert; Johns; Kaiser; Killer; Kopp; Lust; Magstadt; May; Munsterman; Nelson; Novstrup  
12 (David); Olson (Betty); Peterson; Rasmussen; Romkema; Rounds; Rozum; Russell; Schaefer;  
13 Schrempp; Sly; Soli; Steele; Tulson; Werner; Wink; Speaker Gosch

14 Excused:

15 Carson

16 So the bill not having received an affirmative vote of a majority of the members-elect, the  
17 Speaker declared the bill lost.

18 Speaker Pro tempore Wink now presiding.

19 SB 10: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract  
20 for the construction of swine teaching and research facilities at South Dakota State University  
21 and to make an appropriation therefor.

22 Was read the second time.

23 The question being "Shall SB 10 pass?"

24 And the roll being called:

25 Yeas 64, Nays 5, Excused 1, Absent 0

26 Yeas:

27 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
28 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;  
29 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
30 Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; Mickelson; Miller;  
31 Munsterman; Novstrup (David); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;  
32 Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele;  
33 Stevens; Tulson; Tyler; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

1 Nays:

2 May; Nelson; Olson (Betty); Russell; Verchio

3 Excused:

4 Carson

5 So the bill having received an affirmative vote of a two-thirds majority of the members-  
6 elect, the Speaker declared the bill passed and the title was agreed to.

7 SB 11: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract  
8 for the construction of an indoor practice and human performance facility on the campus of  
9 South Dakota State University and to make an appropriation therefor.

10 Was read the second time.

11 The question being "Shall SB 11 pass?"

12 And the roll being called:

13 Yeas 60, Nays 9, Excused 1, Absent 0

14 Yeas:

15 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
16 Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks;  
17 Hawley; Heinemann (Leslie); Heinert; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman;  
18 Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman; Novstrup (David); Otten (Herman);  
19 Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenfish;  
20 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Werner; Westra; Wick;  
21 Wink; Wismer; Speaker Gosch

22 Nays:

23 Greenfield; Hickey; Kaiser; Kopp; May; Nelson; Olson (Betty); Russell; Verchio

24 Excused:

25 Carson

26 So the bill having received an affirmative vote of a two-thirds majority of the members-  
27 elect, the Speaker declared the bill passed and the title was agreed to.

28 SB 111: FOR AN ACT ENTITLED, An Act to amend provisions of the Uniform  
29 Commercial Code relating to electronic funds transfers and to declare an emergency.

30 Was read the second time.

31 The question being "Shall SB 111 pass?"

1 And the roll being called:

2 Yeas 68, Nays 1, Excused 1, Absent 0

3 Yeas:

4 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
5 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;  
6 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
7 Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;  
8 Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;  
9 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;  
10 Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink;  
11 Wismer; Speaker Gosch

12 Nays:

13 Nelson

14 Excused:

15 Carson

16 So the bill having received an affirmative vote of a two-thirds majority of the members-  
17 elect, the Speaker declared the bill passed and the title was agreed to.

18 SB 76: FOR AN ACT ENTITLED, An Act to revise certain reversion provisions relating  
19 to funding in the Governor's Office of Economic Development for the purpose of enhancing  
20 military value of Ellsworth Air Force Base, and to declare an emergency.

21 Was read the second time.

22 The question being "Shall SB 76 pass as amended?"

23 And the roll being called:

24 Yeas 67, Nays 2, Excused 1, Absent 0

25 Yeas:

26 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
27 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;  
28 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
29 Johns; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;  
30 Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;  
31 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;  
32 Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink;  
33 Wismer; Speaker Gosch

34 Nays:

35 Kaiser; Nelson

1 Excused:  
2 Carson

3 So the bill having received an affirmative vote of a two-thirds majority of the members-  
4 elect, the Speaker declared the bill passed and the title was agreed to.

5 Speaker Gosch now presiding.

6 SB 17: FOR AN ACT ENTITLED, An Act to make an appropriation from the coordinated  
7 natural resources conservation fund to the State Conservation Commission.

8 Was read the second time.

9 The question being "Shall SB 17 pass as amended?"

10 And the roll being called:

11 Yeas 65, Nays 4, Excused 1, Absent 0

12 Yeas:  
13 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
14 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;  
15 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
16 Johns; Killer; Kirschman; Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman; Novstrup  
17 (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;  
18 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;  
19 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;  
20 Speaker Gosch

21 Nays:  
22 Kaiser; Kopp; May; Nelson

23 Excused:  
24 Carson

25 So the bill having received an affirmative vote of a two-thirds majority of the members-  
26 elect, the Speaker declared the bill passed and the title was agreed to.

27 SB 31: FOR AN ACT ENTITLED, An Act to make an appropriation for the construction  
28 of a maintenance building and to authorize the razing of three buildings at the STAR Academy  
29 in Custer County.

30 Was read the second time.

1 The question being "Shall SB 31 pass as amended?"

2 And the roll being called:

3 Yeas 64, Nays 5, Excused 1, Absent 0

4 Yeas:

5 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
6 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;  
7 Hansen; Hawks; Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie); Johns;  
8 Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller; Munsterman; Novstrup  
9 (David); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds;  
10 Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens;  
11 Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

12 Nays:

13 Heinert; Kaiser; Killer; Nelson; Olson (Betty)

14 Excused:

15 Carson

16 So the bill having received an affirmative vote of a two-thirds majority of the members-  
17 elect, the Speaker declared the bill passed and the title was agreed to.

18 SB 223: FOR AN ACT ENTITLED, An Act to clarify the open meetings requirement as  
19 applied to the Public Utilities Commission.

20 Was read the second time.

21 The question being "Shall SB 223 pass?"

22 And the roll being called:

23 Yeas 69, Nays 0, Excused 1, Absent 0

24 Yeas:

25 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
26 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;  
27 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
28 Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;  
29 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;  
30 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;  
31 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;  
32 Wick; Wink; Wismer; Speaker Gosch

33 Excused:

34 Carson

1 So the bill having received an affirmative vote of a majority of the members-elect, the  
2 Speaker declared the bill passed and the title was agreed to.

3 SB 55: FOR AN ACT ENTITLED, An Act to make certain form and style changes  
4 regarding the bank franchise tax.

5 Was read the second time.

6 The question being "Shall SB 55 pass as amended?"

7 And the roll being called:

8 Yeas 68, Nays 1, Excused 1, Absent 0

9 Yeas:

10 Bartling; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson;  
11 Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks;  
12 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser;  
13 Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller; Munsterman;  
14 Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;  
15 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;  
16 Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink;  
17 Wismer; Speaker Gosch

18 Nays:

19 Bolin

20 Excused:

21 Carson

22 So the bill having received an affirmative vote of a majority of the members-elect, the  
23 Speaker declared the bill passed and the title was agreed to.

24 SB 143: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding  
25 informational directional signing on the interstate right-of-way.

26 Was read the second time.

27 143ob

28 Rep. Duvall moved that SB 143 be amended as follows:

29 On page 1, line 8, of the House Transportation Committee engrossed bill, after  
30 "establishment" insert ", including any attraction,".



1 On page 1, line 9, delete "including any attraction".

2 Which motion prevailed.

3 The question being "Shall SB 143 pass as amended?"

4 And the roll being called:

5 Yeas 68, Nays 1, Excused 1, Absent 0

6 Yeas:

7 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
8 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;  
9 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
10 Johns; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;  
11 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;  
12 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;  
13 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;  
14 Wick; Wink; Wismer; Speaker Gosch

15 Nays:

16 Kaiser

17 Excused:

18 Carson

19 So the bill having received an affirmative vote of a majority of the members-elect, the  
20 Speaker declared the bill passed and the title was agreed to.

21 SB 51: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
22 application of the collection allowance credit for collecting the sales tax.

23 Was read the second time.

24 51ob

25 Rep. Mickelson moved that SB 51 be amended as follows:

26 On page 2, line 5, of the House Taxation Committee engrossed bill, delete everything  
27 before "collection" and insert "The".

1 On page 2, between lines 7 and 8, insert

2 " For any tax collected by the department on behalf of another entity, upon which the  
3 collection allowance credit is calculated, the entities shall negotiate in good faith to share in the  
4 payment of the collection allowance credit. The department may implement such allocation of  
5 collection allowance credit directly or through the adjustment of any administrative fee charged  
6 pursuant to section 3 of this Act."

7 Which motion prevailed.

8 The question being "Shall SB 51 pass as amended?"

9 And the roll being called:

10 Yeas 63, Nays 6, Excused 1, Absent 0

11 Yeas:

12 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
13 Erickson; Feickert; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawley;  
14 Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer; Kirschman;  
15 Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller; Munsterman; Nelson; Novstrup  
16 (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;  
17 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Soli; Solum; Stalzer; Steele;  
18 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Speaker Gosch

19 Nays:

20 Feinstein; Gibson; Hawks; Heinert; Schrempp; Wismer

21 Excused:

22 Carson

23 So the bill having received an affirmative vote of a majority of the members-elect, the  
24 Speaker declared the bill passed and the title was agreed to.

25 Rep. Lust moved that SB 28 be placed to follow SB 136 on today's calendar.

26 Which motion prevailed.

27 SB 206: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to liability  
28 and to worker's compensation and disability payments for law enforcement officers performing  
29 duties in other jurisdictions.

30 Was read the second time.

1 The question being "Shall SB 206 pass as amended?"

2 And the roll being called:

3 Yeas 69, Nays 0, Excused 1, Absent 0

4 Yeas:

5 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
6 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;  
7 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
8 Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;  
9 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;  
10 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;  
11 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;  
12 Wick; Wink; Wismer; Speaker Gosch

13 Excused:

14 Carson

15 So the bill having received an affirmative vote of a majority of the members-elect, the  
16 Speaker declared the bill passed and the title was agreed to.

17 SB 235: FOR AN ACT ENTITLED, An Act to create the building South Dakota fund, to  
18 deposit certain money into the building South Dakota fund, to create certain programs and funds  
19 to enhance economic development, to make continuous appropriations to these funds, to provide  
20 certain reinvestment payments to stimulate economic development and investment, to revise the  
21 state aid to general education formula by including an adjustment for students with limited  
22 English proficiency, and to declare an emergency.

23 Was read the second time.

24 Pursuant to Joint Rule 5-9, Rep. Nelson requested a division of the question.

25 Speaker Gosch granted the request.

26 Rep. Nelson moved that the division of the bill reads as follows:

27 Sections 1 - 7,  
28 Sections 8 - 10,  
29 Sections 11 - 22,  
30 Sections 23 - 37,  
31 Sections 38 - 40,

32 Which can be separated and stand alone.

1 A roll call vote was requested and not supported.

2 Rep. Nelson's motion lost.

3 235ta

4 Rep. Nelson moved that SB 235 be amended as follows:

5 On page 22, after line 1 of the House State Affairs Committee engrossed bill, insert:

6 " Section 40. That chapter 1-16G be amended by adding thereto a NEW SECTION to read  
7 as follows:

8 The Board of Economic Development may not take action to award any loan, grant, or other  
9 form of financial assistance that involves public funds unless the action is taken at an official  
10 meeting for which notice has been posted in accordance with the provisions of § 1-25-1.1 and  
11 notice has been published in at least three newspapers of general circulation in different parts  
12 of the state. The notice shall be published at least two weeks before the meeting, shall contain  
13 a narrative description of the proposed actions, and shall also state where and when the hearing  
14 will be held."

15 Which motion lost.

16 The question being "Shall SB 235 pass as amended?"

17 And the roll being called:

18 Yeas 56, Nays 13, Excused 1, Absent 0

19 Yeas:

20 Bartling; Bolin; Cammack; Conzet; Cronin; Dryden; Duvall; Ecklund; Erickson; Feickert;  
21 Gibson; Haggar (Don); Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey;  
22 Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman; Lust; Magstadt; Mickelson; Miller;  
23 Munsterman; Novstrup (David); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;  
24 Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Steele;  
25 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

26 Nays:

27 Campbell; Craig; Feinstein; Greenfield; Haggar (Jenna); Kaiser; Kopp; Latterell; May; Nelson;  
28 Olson (Betty); Russell; Stalzer

29 Excused:

30 Carson

1 So the bill having received an affirmative vote of a two-thirds majority of the members-  
2 elect, the Speaker declared the bill passed and the title was agreed to.

3 Rep. Lust moved that the House do now recess until 5:30 p.m., which motion prevailed and  
4 at 4:55 p.m., the House recessed.

5 **RECESS**

6 The House reconvened at 5:30 p.m., the Speaker presiding.

7 Rep. Hoffman moved that the House do now reconsider the vote by which SJR 2 lost.

8 The question being on Rep. Hoffman's motion to reconsider the vote by which SJR 2 lost.

9 And the roll being called:

10 Yeas 32, Nays 35, Excused 3, Absent 0

11 Yeas:

12 Cammack; Conzet; Cronin; Dryden; Duvall; Erickson; Greenfield; Haggar (Don); Haggar  
13 (Jenna); Hajek; Hansen; Heinemann (Leslie); Hoffman; Johns; Kaiser; Latterell; May; Miller;  
14 Nelson; Novstrup (David); Olson (Betty); Rounds; Russell; Schaefer; Sly; Stalzer; Steele;  
15 Verchio; Westra; Wick; Wink; Speaker Gosch

16 Nays:

17 Bartling; Bolin; Campbell; Craig; Ecklund; Feickert; Feinstein; Gibson; Hawks; Hawley;  
18 Heinert; Hickey; Hunhoff (Bernie); Killer; Kirschman; Kopp; Lust; Magstadt; Munsterman;  
19 Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Rozum; Schoenfish; Schrempp;  
20 Soli; Solum; Stevens; Tulson; Tyler; Werner; Wismer

21 Excused:

22 Carson; Mickelson; Romkema

23 So the motion not having received an affirmative vote of a majority of the members-elect,  
24 the Speaker declared the motion lost.

25 SB 195: FOR AN ACT ENTITLED, An Act to establish certain incentives for wind energy  
26 facilities, to revise the amount that may be rebated for the gross receipts tax on electricity  
27 produced on wind farms, to provide a penalty for filing a false affidavit, and to make a  
28 continuous appropriation.

29 Was read the second time.

1 195fc

2 Rep. Solum moved that SB 195 be amended as follows:

3 On page 1 of the House Commerce and Energy Committee engrossed bill, delete lines 6  
4 to 12, inclusive.

5 Delete pages 2 to 7, inclusive.

6 On page 8, delete lines 1 to 18, inclusive.

7 Which motion prevailed.

8 The question being "Shall SB 195 pass as amended?"

9 And the roll being called:

10 Yeas 62, Nays 5, Excused 3, Absent 0

11 Yeas:

12 Bartling; Bolin; Cammack; Conzet; Craig; Dryden; Ecklund; Erickson; Feickert; Feinstein;  
13 Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks; Hawley;  
14 Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman;  
15 Lust; Magstadt; May; Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten  
16 (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell;  
17 Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler;  
18 Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

19 Nays:

20 Campbell; Duvall; Kaiser; Kopp; Latterell

21 Excused:

22 Carson; Cronin; Mickelson

23 So the bill having received an affirmative vote of a two-thirds majority of the members-  
24 elect, the Speaker declared the bill passed.

25 The question being on the title.

26 195ftb

27 Rep. Solum moved that the title to SB 195 be amended as follows:

28 On page 1, line 1, of the House Commerce and Energy Committee engrossed bill, delete  
29 everything after "Act to" and insert "revise the distribution of the wind energy tax.".

1 On page 1, delete lines 2 to 4, inclusive.

2 Which motion prevailed and the title was so amended.

3 SB 15: FOR AN ACT ENTITLED, An Act to provide for expenditures for early learning  
4 services from the special education fund, and to revise certain provisions regarding state aid to  
5 special education.

6 Was read the second time.

7 The question being "Shall SB 15 pass as amended?"

8 And the roll being called:

9 Yeas 66, Nays 3, Excused 1, Absent 0

10 Yeas:

11 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
12 Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks;  
13 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser;  
14 Killer; Kirschman; Kopp; Latterell; Magstadt; May; Mickelson; Miller; Munsterman; Nelson;  
15 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;  
16 Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele;  
17 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

18 Nays:

19 Greenfield; Lust; Russell

20 Excused:

21 Carson

22 So the bill having received an affirmative vote of a two-thirds majority of the members-  
23 elect, the Speaker declared the bill passed and the title was agreed to.

24 Rep. Lust moved that SB 138 and 90 be placed to follow SB 28 on today's calendar.

25 Which motion prevailed.

26 SB 200: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning  
27 campaign finance.

28 Was read the second time.

200jb

Rep. Hansen moved that SB 200 be amended as follows:

On page 2, line 4, of the House State Affairs Committee engrossed bill, overstrike "and".

On page 2, line 6, "after committee" insert:

"; and

(d) If the independent expenditure is undertaken by an organization not including a candidate, public office holder, political party, or political committee, then the following notation must also be included: "Top Five Contributors" followed by a listing of the names of the five persons making the largest contributions to an organization during the twelve months preceding that communication".

On page 5, line 14, overstrike "and"

On page 5, line 16, after "statute" insert:

"; and

(5) Any communication used for the purpose of polling if the poll questions do not expressly advocate for or against a candidate, public office holder, ballot question, or political party."

On page 6, line 5, after "committee."" insert:

"If the independent expenditure is undertaken by an organization not including a candidate, public office holder, political party, or political committee, then the following notation must also be included: "Top Five Contributors" followed by a listing of the names of the five persons making the largest contributions to an organization during the twelve months preceding that communication."

On page 7, delete lines 23 and 24.

On page 8, delete lines 1 to 6, inclusive.

Which motion prevailed.

200oe

Rep. Russell moved that SB 200 be further amended as follows:

On page 8, after line 6 of the Senate State Affairs Committee engrossed bill, insert:



1 " Section 7. That subdivision (12) of § 12-27-1 be amended to read as follows:

2 (12) "In-kind," a good or service provided at no charge or for less than its fair market  
3 value. The term includes the value of any polling information provided to a candidate  
4 regarding the candidate's campaign for election. The term does not include the value  
5 of services provided by a person as a volunteer for or on behalf of any candidate,  
6 political committee, or political party, including the free or discounted use of any  
7 person's residence or office;  
8 ".

9 Rep. Russell called for a division of the House.

10 The Speaker declared Rep. Russell's motion lost.

11 200oc

12 Rep. Duvall moved that SB 200 be further amended as follows:

13 On page 2, line 18, of the House State Affairs Committee engrossed bill, overstrike  
14 "which".

15 Which motion prevailed.

16 The question being "Shall SB 200 pass as amended?"

17 And the roll being called:

18 Yeas 61, Nays 8, Excused 1, Absent 0

19 Yeas:

20 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
21 Erickson; Feickert; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawley;  
22 Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kopp;  
23 Latterell; Lust; Magstadt; May; Mickelson; Miller; Munsterman; Nelson; Novstrup (David);  
24 Olson (Betty); Otten (Herman); Parsley; Qualm; Rasmussen; Romkema; Rounds; Rozum;  
25 Russell; Schaefer; Schoenfish; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler;  
26 Verchio; Werner; Westra; Wick; Wink; Speaker Gosch

27 Nays:

28 Feinstein; Hawks; Kaiser; Kirschman; Peterson; Ring; Schrempp; Wismer

29 Excused:

30 Carson

1       So the bill having received an affirmative vote of a majority of the members-elect, the  
2       Speaker declared the bill passed and the title was agreed to.

3       SB 155: FOR AN ACT ENTITLED, An Act to establish a local government road  
4       improvement grant fund for the purpose of serving new agricultural facilities and to make an  
5       appropriation therefor.

6       Was read the second time.

7       The question being "Shall SB 155 pass as amended?"

8       And the roll being called:

9       Yeas 62, Nays 7, Excused 1, Absent 0

10      Yeas:

11      Bartling; Bolin; Cammack; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson;  
12      Feickert; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks; Hawley;  
13      Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer;  
14      Kirschman; Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman; Novstrup (David);  
15      Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema;  
16      Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens;  
17      Tulson; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

18      Nays:

19      Campbell; Feinstein; Kopp; May; Nelson; Russell; Tyler

20      Excused:

21      Carson

22      So the bill having received an affirmative vote of a two-thirds majority of the members-  
23      elect, the Speaker declared the bill passed and the title was agreed to.

24      SB 159: FOR AN ACT ENTITLED, An Act to revise the state aid to general education  
25      formula by including an adjustment for students with limited English proficiency.

26      Was read the second time.

27      The question being "Shall SB 159 pass as amended?"

28      And the roll being called:

29      Yeas 60, Nays 9, Excused 1, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Conzet; Cronin; Dryden; Duvall; Ecklund; Erickson;  
3 Feickert; Feinstein; Gibson; Haggar (Don); Hajek; Hansen; Hawks; Hawley; Heinemann  
4 (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer; Kirschman;  
5 Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman; Novstrup (David); Otten (Herman);  
6 Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenfish;  
7 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Werner; Westra; Wick;  
8 Wink; Wismer; Speaker Gosch

9 Nays:

10 Craig; Greenfield; Haggar (Jenna); Kopp; May; Nelson; Olson (Betty); Russell; Verchio

11 Excused:

12 Carson

13 So the bill having received an affirmative vote of a majority of the members-elect, the  
14 Speaker declared the bill passed and the title was agreed to.

15 SB 233: FOR AN ACT ENTITLED, An Act to create the critical teaching needs  
16 scholarship program and to make an appropriation to the education enhancement trust fund to  
17 provide for the annual funding of the scholarships.

18 Was read the second time.

19 233mb

20 Rep. Cronin moved that SB 233 be amended as follows:

21 On page 5, line 13, of the House Appropriations Committee engrossed bill, delete "two  
22 dollars (\$2)" and insert "one million five hundred thousand dollars (\$1,500,000)".

23 On page 6, after line 11, insert:

24 " Section 12. Whereas, this Act is necessary for the support of the state government and its  
25 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
26 full force and effect from and after its passage and approval."

27 Which motion prevailed.

28 The question being "Shall SB 233 pass as amended?"

29 And the roll being called:

30 Yeas 51, Nays 18, Excused 1, Absent 0

1 Yeas:

2 Bolin; Cammack; Campbell; Conzet; Cronin; Dryden; Duvall; Ecklund; Erickson; Greenfield;  
3 Haggar (Don); Haggar (Jenna); Hajek; Hansen; Heinemann (Leslie); Hickey; Hoffman; Johns;  
4 Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman; Nelson;  
5 Novstrup (David); Olson (Betty); Otten (Herman); Peterson; Qualm; Rasmussen; Ring;  
6 Romkema; Rounds; Rozum; Schaefer; Schoenfish; Sly; Solum; Stalzer; Steele; Stevens; Tulson;  
7 Werner; Westra; Wick; Wink; Speaker Gosch

8 Nays:

9 Bartling; Craig; Feickert; Feinstein; Gibson; Hawks; Hawley; Heinert; Hunhoff (Bernie);  
10 Kaiser; May; Parsley; Russell; Schrempp; Soli; Tyler; Verchio; Wismer

11 Excused:

12 Carson

13 So the bill having received an affirmative vote of a two-thirds majority of the members-  
14 elect, the Speaker declared the bill passed.

15 The question being on the title.

16 233mtb

17 Rep. Cronin moved that the title to SB 233 be amended as follows:

18 On page 1, line 1, of the House Appropriations Committee engrossed bill, after "program"  
19 insert ",."

20 On page 1, line 2, delete "and".

21 On page 1, line 3, after "scholarships" insert ", and to declare an emergency".

22 Which motion prevailed and the title was so amended.

23 SB 236: FOR AN ACT ENTITLED, An Act to appropriate money to the Board of Regents  
24 to fund the expansion of information systems programs and cyber security programs at Dakota  
25 State University.

26 Was read the second time.

27 236me

28 Rep. Heinemann moved that SB 236 be amended as follows:

29 On page 1, line 5, of the House Appropriations Committee engrossed bill, delete "two  
30 dollars (\$2)" and insert "nine hundred thousand dollars (\$900,000)".

1 On page 1, after line 9, insert:

2 " Section 3. Whereas, this Act is necessary for the support of the state government and its  
3 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
4 full force and effect from and after its passage and approval."

5 Which motion prevailed.

6 The question being "Shall SB 236 pass as amended?"

7 And the roll being called:

8 Yeas 62, Nays 7, Excused 1, Absent 0

9 Yeas:

10 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
11 Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks;  
12 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer;  
13 Kirschman; Kopp; Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman; Novstrup  
14 (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;  
15 Romkema; Rounds; Rozum; Schaefer; Schoenfish; Sly; Soli; Solum; Stalzer; Steele; Stevens;  
16 Tulson; Tyler; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

17 Nays:

18 Greenfield; Kaiser; May; Nelson; Russell; Schrempp; Verchio

19 Excused:

20 Carson

21 So the bill having received an affirmative vote of a two-thirds majority of the members-  
22 elect, the Speaker declared the bill passed.

23 The question being on the title.

24 236mtd

25 Rep. Rounds moved that the title to SB 236 be amended as follows:

26 On page 1, line 3, of the House Appropriations Committee engrossed bill, after  
27 "University" insert ", and to declare an emergency".

28 Which motion prevailed and the title was so amended.

SB 237: FOR AN ACT ENTITLED, An Act to appropriate funds for deposit into the need-based grant fund, to provide for annual funding of the need-based grant fund with a portion of the funds received from the education enhancement trust fund, and to declare an emergency.

Was read the second time.

237cf

Rep. Lust moved that SB 237 be amended as follows:

On page 5, line 11, of the House Appropriations Committee engrossed bill, delete "two dollars (\$2)" and insert "one million five hundred thousand dollars (\$1,500,000)".

On page 5, line 16, after "." insert "Any contributions into the education enhancement trust fund not designated for any other purpose shall be allocated to the need-based grant fund.".

On page 6, line 15, after "fund" insert "created pursuant to section 11 of this Act".

Which motion prevailed.

The question being "Shall SB 237 pass as amended?"

And the roll being called:

Yeas 54, Nays 15, Excused 1, Absent 0

Yeas:

Bartling; Bolin; Cammack; Conzet; Cronin; Dryden; Duvall; Ecklund; Erickson; Gibson; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman; Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Speaker Gosch

Nays:

Campbell; Craig; Feickert; Feinstein; Greenfield; Hawks; Hawley; Kaiser; Kopp; May; Nelson; Parsley; Russell; Stevens; Wismer

Excused:

Carson

So the bill having received an affirmative vote of a two-thirds majority of the members-elect, the Speaker declared the bill passed and the title was agreed to.

1 SB 136: FOR AN ACT ENTITLED, An Act to revise the state aid to education formula  
2 and to make an appropriation.

3 Was read the second time.

4 Rep. Cronin moved that SB 136 be laid on the table.

5 The question being on Rep. Cronin's motion that SB 136 be laid on the table.

6 And the roll being called:

7 Yeas 66, Nays 3, Excused 1, Absent 0

8 Yeas:

9 Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson;  
10 Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks;  
11 Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer;  
12 Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller; Munsterman; Nelson;  
13 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;  
14 Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele;  
15 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

16 Nays:

17 Bartling; Heinert; Russell

18 Excused:

19 Carson

20 So the motion having received an affirmative vote of a majority of the members-elect, the  
21 Speaker declared the motion carried and SB 136 was tabled.

22 SB 28: FOR AN ACT ENTITLED, An Act to revise the property tax levies for the general  
23 fund of a school district.

24 Was read the second time.

25 28fg

26 Rep. Wink moved that SB 28 be amended as follows:

27 On page 1, line 8, of the Senate engrossed bill, delete "sixteen" and insert "fifteen".

28 Which motion prevailed.

1 The question being "Shall SB 28 pass as amended?"

2 And the roll being called:

3 Yeas 66, Nays 3, Excused 1, Absent 0

4 Yeas:

5 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
6 Erickson; Feickert; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks;  
7 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser;  
8 Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller; Munsterman;  
9 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;  
10 Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele;  
11 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

12 Nays:

13 Feinstein; Nelson; Russell

14 Excused:

15 Carson

16 So the bill having received an affirmative vote of a two-thirds majority of the members-  
17 elect, the Speaker declared the bill passed and the title was agreed to.

18 There being no objection, the House reverted to Order of Business No. 7.

19 **MESSAGES FROM THE SENATE**

20 MR. SPEAKER:

21 I have the honor to inform your honorable body that the Senate has adopted the report of  
22 the Conference Committee on SB 151.

23 Also MR. SPEAKER:

24 I have the honor to inform your honorable body that HB 1142 was lost on second reading  
25 and final passage.

26 Also MR. SPEAKER:

27 I have the honor to inform your honorable body that HB 1161 was tabled.



1 Also MR. SPEAKER:

2 I have the honor to return herewith HB 1214 which has been amended by the Senate and  
3 your concurrence in the amendments is respectfully requested.

4 Respectfully,  
5 Jeannette Schipper, Secretary

6 **MOTIONS AND RESOLUTIONS**

7 Rep. Hunhoff moved that the House do not concur in Senate amendments to HB 1214 and  
8 that a committee of three on the part of the House be appointed to meet with a like committee  
9 on the part of the Senate to adjust the differences between the two houses.

10 Which motion prevailed and the Speaker appointed as such committee Reps. Hansen,  
11 Bernie Hunhoff, and Westra.

12 Rep. Lust moved that when we adjourn today, we adjourn to convene at 11:00 a.m. on  
13 Wednesday, March 6, the 35<sup>th</sup> legislative day.

14 Which motion prevailed.

15 There being no objection, the House reverted to Order of Business No. 5.

16 **REPORTS OF STANDING COMMITTEES**

17 MR. SPEAKER:

18 The Committee on Legislative Procedure respectfully reports that HB 1013, 1014, 1015,  
19 1016, 1017, 1049, 1059, 1062, 1083, 1093, 1102, 1103, 1110, 1112, 1115, 1116, 1150, 1162,  
20 1174, 1187, 1191, 1217, and 1226 were delivered to his Excellency, the Governor, for his  
21 approval at 11:30 a.m., March 5, 2013.

22 Also MR. SPEAKER:

23 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing  
24 and Enrolling has carefully compared HB 1018, 1061, 1075, 1087, 1124, 1126, 1144, 1149,  
25 1151, 1152, 1163, 1167, 1194, 1198, 1208, and 1246 and finds the same correctly enrolled.

26 Respectfully submitted,  
27 Brian G. Gosch, Chair

## MESSAGES FROM THE SENATE

MR. SPEAKER:

I have the honor to inform your honorable body that HB 1189 was lost on second reading and final passage.

Also MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has appointed Sens. Jean Hunhoff, Peters, and Sutton as a committee of three on the part of the Senate to meet with a like committee on the part of the House to adjust the differences between the two houses on HB 1214.

Respectfully,  
Jeannette Schipper, Secretary

There being no objection, the House proceeded to Order of Business No. 14.

## SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 138: FOR AN ACT ENTITLED, An Act to make an appropriation to enhance education by revising the General Appropriations Act for fiscal year 2013.

Was read the second time.

Rep. Lust moved that SB 138 be laid on the table.

The question being on Rep. Lust's motion that SB 138 be laid on the table.

And the roll being called:

Yeas 67, Nays 2, Excused 1, Absent 0

1 Yeas:

2 Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson;  
3 Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks;  
4 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser;  
5 Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller; Munsterman;  
6 Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;  
7 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schrempp; Sly; Soli; Solum;  
8 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;  
9 Speaker Gosch

10 Nays:

11 Bartling; Schoenfish

12 Excused:

13 Carson

14 So the motion having received an affirmative vote of a majority of the members-elect, the  
15 Speaker declared the motion carried and SB 138 was tabled.

16 SB 90: FOR AN ACT ENTITLED, An Act to revise the General Appropriations Act for  
17 fiscal year 2013, to provide funding for the increased costs associated with the employee health  
18 insurance and internal service bureaus, and to declare an emergency.

19 Was read the second time.

20 90me

21 Rep. Hansen moved that SB 90 be amended as follows:

22 On the House Appropriations Committee engrossed bill, delete everything after the  
23 enacting clause and insert:

24 " Section 1. That section 12 of chapter 30 of the 2012 Session Laws be amended by  
25 adding a NEW SECTION to read as follows:

26 DEPARTMENT OF EDUCATION

27 (2A) Nonrecurring State Aid To Education

28	Personal Services	\$0	\$0	\$0	\$0
29	Operating Expenses	\$5,829,318	\$0	\$0	\$5,829,318
30	TOTAL	\$5,829,318	\$0	\$0	\$5,829,318
31	F.T.E.				0.0

The moneys appropriated by this subsection shall be distributed to school districts based on actual FY2012 fall enrollment.

Adjust all totals accordingly.

Section 2. That section 12 of chapter 30 of the 2012 Session Laws be amended by adding a NEW SECTION to read as follows:

#### DEPARTMENT OF EDUCATION

##### (10A) Nonrecurring Postsecondary Vocational Education

Personal Services	\$0	\$0	\$0	\$0
Operating Expenses	\$200,000	\$0	\$0	\$200,000
TOTAL	\$200,000	\$0	\$0	\$200,000
F.T.E.				0.0

The moneys appropriated by this subsection shall be distributed on a one-time basis to the technical institutes based on FY2012 actual student F.T.E.

Adjust all total accordingly.

Section 3. That section 12 of chapter 30 of the 2012 Session Laws be amended by adding a NEW SECTION to read as follows:

#### DEPARTMENT OF EDUCATION

##### (11A) Classroom Innovation Grant Program

Personal Services	\$0	\$0	\$0	\$0
Operating Expenses	\$500,000	\$0	\$0	\$500,000
TOTAL	\$500,000	\$0	\$0	\$500,000
F.T.E.				0.0

Adjust all totals accordingly."

Section 4. That section 8 of chapter 30 of the 2012 Session Laws be amended by adding thereto a NEW SECTION to read as follows:

#### DEPARTMENT OF SOCIAL SERVICES

##### (1A) Nonrecurring Provider Allocation

Personal Services	\$0	\$0	\$0	\$0
Operating Expenses	\$4,627,115	\$4,777,166	\$0	\$9,404,281

1	TOTAL	\$4,627,115	\$4,777,166	\$0	\$9,404,281
2	F.T.E.				0.0

3 The moneys appropriated by this subsection shall be distributed to providers on a nonrecurring  
4 basis.

5 Adjust all totals accordingly.

6 Section 5. That section 9 of chapter 30 of the 2012 Session Laws be amended by adding  
7 thereto a NEW SECTION to read as follows:

#### 8 DEPARTMENT OF HEALTH

##### 9 (1A) Nonrecurring Provider Allocation

10	Personal Services	\$0	\$0	\$0	\$0
11	Operating Expenses	\$0	\$0	\$13,822	\$13,822
12	TOTAL	\$0	\$0	\$13,822	\$13,822
13	F.T.E.				0.0

14 The moneys appropriated by this subsection shall be distributed to providers on a nonrecurring  
15 basis.

16 Adjust all totals accordingly.

17 Section 6. That section 12 of chapter 30 of the 2012 Session Laws be amended by adding  
18 thereto a NEW SECTION to read as follows:

#### 19 DEPARTMENT OF EDUCATION

##### 20 (1A) Nonrecurring Provider Allocation

21	Personal Services	\$0	\$0	\$0	\$0
22	Operating Expenses	\$0	\$24,404	\$0	\$24,404
23	TOTAL	\$0	\$24,404	\$0	\$24,404
24	F.T.E.				0.0

25 The moneys appropriated by this subsection shall be distributed to providers on a nonrecurring  
26 basis.

27 Adjust all totals accordingly.

28 Section 7. That section 17 of chapter 30 of the 2012 Session Laws be amended by adding  
29 thereto a NEW SECTION to read as follows:

#### 30 DEPARTMENT OF CORRECTIONS

## 1 (1A) Nonrecurring Provider Allocation

2	Personal Services	\$0	\$0	\$0	\$0
3	Operating Expenses	\$251,862	\$128,026	\$0	\$379,888
4	TOTAL	\$251,862	\$128,026	\$0	\$379,888
5	F.T.E.				0.0

6 The moneys appropriated by this subsection shall be distributed to providers on a nonrecurring  
7 basis.

8 Adjust all totals accordingly.

9 Section 8. That section 18 of chapter 30 of the 2012 Session Laws be amended by adding  
10 thereto a NEW SECTION to read as follows:

## 11 DEPARTMENT OF HUMAN SERVICES

## 12 (1A) Nonrecurring Provider Allocation

13	Personal Services	\$0	\$0	\$0	\$0
14	Operating Expenses	\$970,116	\$1,314,216	\$0	\$2,284,332
15	TOTAL	\$970,116	\$1,314,216	\$0	\$2,284,332
16	F.T.E.				0.0

17 The moneys appropriated by this subsection shall be distributed to providers on a nonrecurring  
18 basis.

19 Adjust all totals accordingly.

20 Section 9. That section 21 of chapter 30 of the 2012 Session Laws be amended by adding  
21 thereto a NEW SECTION to read as follows:

## 22 UNIFIED JUDICIAL SYSTEM

## 23 (2A) Nonrecurring Provider Allocation

24	Personal Services	\$0	\$0	\$0	\$0
25	Operating Expenses	\$16,502	\$1,400	\$0	\$17,902
26	TOTAL	\$16,502	\$1,400	\$0	\$17,902
27	F.T.E.				0.0

28 The moneys appropriated by this subsection shall be distributed to providers on a nonrecurring  
29 basis.

30 Adjust all totals accordingly.

1 Section 10. That chapter 30 of the 2012 Session Laws be amended by adding thereto a NEW  
2 SECTION to read as follows:

3 Section 38. The state treasurer shall transfer to the employer's investment in South Dakota's  
4 future fund three million six hundred thousand dollars (\$3,600,000), from the state general fund.

5 Section 11. Funds appropriated by this Act which are unspent at the end of fiscal year 2013  
6 may be carried over to fiscal year 2014.

7 Section 12. This Act is effective June 26, 2013. "

8 Which motion prevailed.

9 90xb

10 Rep. Wismer moved that Rep. Hansen's amendment to SB 90 be amended as follows:

11 On the previously adopted amendment (90me), in Section 11, before "this" insert "section  
12 3 of"

13 Which motion prevailed.

14 The question being "Shall SB 90 pass as amended?"

15 And the roll being called:

16 Yeas 65, Nays 4, Excused 1, Absent 0

17 Yeas:

18 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
19 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;  
20 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
21 Johns; Killer; Kirschman; Latterell; Lust; Magstadt; May; Mickelson; Miller; Munsterman;  
22 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;  
23 Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele;  
24 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

25 Nays:

26 Kaiser; Kopp; Nelson; Russell

27 Excused:

28 Carson

29 So the bill having received an affirmative vote of a majority of the members-elect, the  
30 Speaker declared the bill passed.

1 The question being on the title.

2 90mtc

3 Rep. Hansen moved that the title to SB 90 be amended as follows:

4 On page 1 of the House Appropriations Committee engrossed bill, line 2, delete everything  
5 after "provide" and insert "nonrecurring funding for economic development, education, and  
6 providers.".

7 On page 1, delete line 3.

8 Which motion prevailed and the title was so amended.

9 **SIGNING OF BILLS**

10 The Speaker publicly read the title to

11 HB 1018: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning  
12 elections and petitions.

13 HB 1061: FOR AN ACT ENTITLED, An Act to revise certain provisions related to the  
14 regulation of captive insurance companies.

15 HB 1075: FOR AN ACT ENTITLED, An Act to revise the membership of the Legislative  
16 Planning Committee.

17 HB 1087: FOR AN ACT ENTITLED, An Act to provide for the creation of school sentinel  
18 programs and for the training of school sentinels.

19 HB 1124: FOR AN ACT ENTITLED, An Act to provide for the appointment of members  
20 of the South Dakota Pulse Crops Council.

21 HB 1126: FOR AN ACT ENTITLED, An Act to revise the massage therapy licensing  
22 requirements.

23 HB 1144: FOR AN ACT ENTITLED, An Act to permit the euthanization of wildlife that  
24 have been seriously injured in motor vehicle accidents.

25 HB 1149: FOR AN ACT ENTITLED, An Act to revise and clarify requirements relating  
26 to limits of small game and fish taken by small game hunting parties and fishing parties.

27 HB 1151: FOR AN ACT ENTITLED, An Act to extend general immunity from liability  
28 for directors and officers of certain nonprofit fire and ambulance departments and to limit  
29 certain actions for personal injury or death.



1 HB 1152: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the  
2 administrative office and to the appointment and direction of the executive director of the South  
3 Dakota Wheat Utilization, Research and Market Development Commission.

4 HB 1163: FOR AN ACT ENTITLED, An Act to revise certain provisions related to the  
5 filing of the certificate of limited partnerships.

6 HB 1167: FOR AN ACT ENTITLED, An Act to restructure the policy advisory committee  
7 for animal damage control.

8 HB 1194: FOR AN ACT ENTITLED, An Act to revise the period during which fireworks  
9 may be discharged.

10 HB 1198: FOR AN ACT ENTITLED, An Act to allow certain opportunity scholarship  
11 recipients who graduate early to use the remainder of their scholarship award for graduate  
12 studies.

13 HB 1208: FOR AN ACT ENTITLED, An Act to prohibit the release of medical waste and  
14 to provide a penalty therefor.

15 HB 1246: FOR AN ACT ENTITLED, An Act to authorize certain pesticide applicators to  
16 apply pesticide on their own property.

17 SB 1: FOR AN ACT ENTITLED, An Act to revise the provisions regarding plugging and  
18 performance bonds for oil and gas wells and to repeal the supplemental restoration bond  
19 requirement.

20 SB 60: FOR AN ACT ENTITLED, An Act to revise certain definitions regarding the  
21 appraiser certification program.

22 SB 61: FOR AN ACT ENTITLED, An Act to allow licensed insurance agents to act as  
23 consultants in certain circumstances.

24 SB 62: FOR AN ACT ENTITLED, An Act to revise certain requirements regarding when  
25 an insurer's certificate of authority may be revoked.

26 SB 71: FOR AN ACT ENTITLED, An Act to correct the name of a postsecondary  
27 institution authorized to provide educational programs in South Dakota, and to revise the  
28 requirements for an institution seeking such authorization.

29 SB 80: FOR AN ACT ENTITLED, An Act to reinstate certain provisions repealed in the  
30 Eighty-seventh Legislative Session regarding the accounting for federal impact aid.

31 And signed the same in the presence of the House.

**COMMEMORATIONS**

HC 1057 Introduced by: Representative Nelson and Senator Van Gerpen

A LEGISLATIVE COMMEMORATION, Posthumously honoring Captain Dale Goetz.

WHEREAS, Dale Goetz volunteered to serve in the United States Army, was a member of the White community, and selflessly paid the terrible costs for our freedoms while serving in Afghanistan on August 30, 2010; and

WHEREAS, Captain Goetz's service and ultimate sacrifice were in keeping with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain from even now tendering the consolation that may be found in this heartfelt appreciation and respect of the people of South Dakota that Dale died protecting; and

WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and friends' bereavement, and leave them only the cherished memory of the loved and lost, and the solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the State of South Dakota, that Captain Dale Goetz is posthumously honored, commended, and remembered for his service and noble sacrifices for the people of South Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

HC 1058 Introduced by: Representative Nelson and Senator Van Gerpen

A LEGISLATIVE COMMEMORATION, Posthumously honoring Senior Airman Michael Hinkle II.

WHEREAS, Michael Hinkle II volunteered to serve in the United States Air Force, was a member of the Ellsworth Air Force Base community, and selflessly paid the terrible costs for our freedoms while serving in Kuwait on March 16, 2011; and

WHEREAS, Senior Airman Michael Hinkle II's service and ultimate sacrifice were in keeping with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain from even now tendering the consolation that may be found in this heartfelt appreciation and respect of the people of South Dakota that Michael died protecting; and

1 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
2 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
3 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

4 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
5 State of South Dakota, that Senior Airman Michael Hinkle II is posthumously honored,  
6 commended, and remembered for his service and noble sacrifices for the people of South  
7 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
8 enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

9 HC 1059 Introduced by: Representative Nelson and Senator Van Gerpen

10 A LEGISLATIVE COMMEMORATION, Posthumously honoring Sergeant Israel Paul  
11 O'Bryan.

12 WHEREAS, Israel Paul O'Bryan volunteered to serve in the United States Army, was a  
13 member of the Sisseton community, and selflessly paid the terrible costs for our freedoms while  
14 serving in Iraq on June 11, 2010; and

15 WHEREAS, Sergeant Israel Paul O'Bryan's service and ultimate sacrifice were in keeping  
16 with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

17 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
18 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
19 from even now tendering the consolation that may be found in this heartfelt appreciation and  
20 respect of the people of South Dakota that Israel died protecting; and

21 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
22 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
23 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

24 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
25 State of South Dakota, that Sergeant Israel Paul O'Bryan is posthumously honored, commended,  
26 and remembered for his service and noble sacrifices for the people of South Dakota. In token  
27 of South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
28 appropriately immortalized for posterity. *Requiescat in pace.*

29 HC 1060 Introduced by: Representative Nelson and Senator Van Gerpen

30 A LEGISLATIVE COMMEMORATION, Posthumously honoring Staff Sergeant Lex Lewis.

31 WHEREAS, Lex Lewis volunteered to serve in the United States Army, was a member of  
32 the Rapid City community, and selflessly paid the terrible costs for our freedoms while serving  
33 in Afghanistan on July 15, 2011; and

1 WHEREAS, Staff Sergeant Lex Lewis's service and ultimate sacrifice were in keeping with  
2 the highest traditions of South Dakota's veterans and the United States Armed Forces; and

3 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
4 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
5 from even now tendering the consolation that may be found in this heartfelt appreciation and  
6 respect of the people of South Dakota that Lex died protecting; and

7 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
8 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
9 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

10 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
11 State of South Dakota, that Staff Sergeant Lex Lewis is posthumously honored, commended,  
12 and remembered for his service and noble sacrifices for the people of South Dakota. In token  
13 of South Dakota's common perpetual grief at his loss, this commemoration is enrolled and  
14 appropriately immortalized for posterity. *Requiescat in pace.*

15 HC 1061 Introduced by: Representative Nelson and Senator Van Gerpen

16 A LEGISLATIVE COMMEMORATION, Posthumously honoring Staff Sergeant Shane  
17 Barnard.

18 WHEREAS, Shane Barnard volunteered to serve in the United States Army, was a member  
19 of the DeSmet community, and selflessly paid the terrible costs for our freedoms while serving  
20 in Afghanistan on May 19, 2010; and

21 WHEREAS, Staff Sergeant Shane Barnard's service and ultimate sacrifice were in keeping  
22 with the highest traditions of South Dakota's veterans and the United States Armed Forces; and

23 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
24 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
25 from even now tendering the consolation that may be found in this heartfelt appreciation and  
26 respect of the people of South Dakota that Shane died protecting; and

27 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
28 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
29 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

30 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
31 State of South Dakota, that Staff Sergeant Shane Barnard is posthumously honored,  
32 commended, and remembered for his service and noble sacrifices for the people of South  
33 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
34 enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

1 HC 1062 Introduced by: Representative Nelson and Senator Van Gerpen

2 A LEGISLATIVE COMMEMORATION, Posthumously honoring Sergeant Eduviges  
3 Guadalupe Wolf.

4 WHEREAS, Eduviges Guadalupe Wolf volunteered to serve in the United States Army, was  
5 a member of the Farmer community, and selflessly paid the terrible costs for our freedoms while  
6 serving in Afghanistan on October 25, 2009; and

7 WHEREAS, Sergeant Eduviges Guadalupe Wolf's service and ultimate sacrifice were in  
8 keeping with the highest traditions of South Dakota's veterans and the United States Armed  
9 Forces; and

10 WHEREAS, we feel how weak and fruitless must be any words of ours which shall attempt  
11 to beguile the family and friends from the grief of a loss so overwhelming. But we cannot refrain  
12 from even now tendering the consolation that may be found in this heartfelt appreciation and  
13 respect of the people of South Dakota that Eduviges died protecting; and

14 WHEREAS, we pray that our Heavenly Father may assuage the anguish of his family's and  
15 friends' bereavement, and leave them only the cherished memory of the loved and lost, and the  
16 solemn pride that is theirs to have laid so costly a sacrifice upon the altar of freedom:

17 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
18 State of South Dakota, that Sergeant Eduviges Guadalupe Wolf is posthumously honored,  
19 commended, and remembered for his service and noble sacrifices for the people of South  
20 Dakota. In token of South Dakota's common perpetual grief at his loss, this commemoration is  
21 enrolled and appropriately immortalized for posterity. *Requiescat in pace.*

22 HC 1063 Introduced by: Representatives Heinert, Bartling, Craig, Feickert, Feinstein,  
23 Haggar (Don), Haggar (Jenna), Hawks, Hawley, Hunhoff (Bernie), Kaiser, Kirschman, May,  
24 Mickelson, Parsley, Peterson, Ring, Schoenfish, Schrempp, Soli, Tyler, Verchio, and Wismer  
25 and Senators Sutton, Bradford, Frerichs, Lucas, and Welke

26 A LEGISLATIVE COMMEMORATION, Recognizing the fortieth anniversary of the 1973  
27 occupation of Wounded Knee.

28 WHEREAS, in February 1973, approximately two hundred Oglala Lakota and American  
29 Indian Movement supporters occupied the village of Wounded Knee on the Pine Ridge  
30 Reservation in protest of policies and activities of the tribal government, as well as incidents of  
31 violence against tribal members. The occupation and the subsequent siege by federal law  
32 enforcement personnel and tribal government supporters resulted in the deaths of two AIM  
33 supporters, numerous injuries on all sides, the destruction of much of the village of Wounded  
34 Knee, and additional violence in the following years; and

35 WHEREAS, the 71-day occupation of Wounded Knee in 1973 generated national and  
36 international notice and focused attention on grievances and issues far beyond the immediate  
37 causes of the occupation, including such areas as treaty rights and obligations, loss of land,

poverty, unemployment, racism, use of natural resources, and indigenous rights. Over the years, these issues have continued to be debated and addressed at the state and federal levels; and

WHEREAS, the legacy of the occupation of Wounded Knee holds a conflicting mix of positive and negative impacts, and the passage of forty years has not diminished the level and intensity of the emotions, nor the degree of commitment and sacrifice by those persons, on all sides of the issue, who were associated with this event:

NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the State of South Dakota, that the South Dakota Legislature recognizes the historical significance of the struggles that led to the 1973 occupation and siege of Wounded Knee and pledges its continued efforts toward the reconciliation of the differences between South Dakota's Native and non-Native communities, respect for the dignity and rights of our citizens, an understanding of and respect for the people and events that have gone before us, and the betterment of the lives of all of our people.

HC 1064 Introduced by: Representative Nelson and Senator Van Gerpen

A LEGISLATIVE COMMEMORATION, Honoring Ray Slaba for his contributions to education in South Dakota.

WHEREAS, Ray Slaba serves as an assistant boys basketball coach and as the middle school and high school principal at Hanson High School in Alexandria, South Dakota; and

WHEREAS, the youth of the Hanson School District are some the best educated, most well behaved, and athletically successful young adults in South Dakota; and

WHEREAS, that success is directly attributed to Principal Ray Slaba and the dedicated educators of the Hanson School District; and

WHEREAS, the Hanson School District's success was recognized when Principal Slaba was selected by his peers as the Region Three Middle School Principal of the Year at the South Dakota Secondary School Principals' State Convention in Chamberlain, South Dakota, in February 2013; and

WHEREAS, Region Three consists of approximately thirty of South Dakota's best school districts:

NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the State of South Dakota, that Principal Ray Slaba and the Hanson School District are commended and honored for the appropriate and prestigious selection of Principal Ray Slaba as the Middle School Principal of the Year for Region Three. Principal Slaba and all the staff of the Hanson School District are thanked for all their hard work on behalf of the children of South Dakota.

1 HC 1065 Introduced by: Representative Nelson and Senator Van Gerpen

2 A LEGISLATIVE COMMEMORATION, Honoring and commending Bryan and Laura Klock  
3 and the staff at Klock Werks for their selfless commitment to their fellow man.

4 WHEREAS, Bryan and Laura Klock are tirelessly involved in supporting the Mitchell area  
5 Court Appointed Special Advocate (CASA) program for children, Safehouse Foundation Board,  
6 Motorcycle Safety Foundation, Women's Celebrate Recovery Group, the Abbott House, the I  
7 Am Second movement, Big Brother and Sisters program, Hamster (custom motorcycle owner  
8 club) which helps raise two hundred fifty thousand dollars annually for the Rapid City  
9 Children's Hospital, proud supporters of the Mitchell Christian School, and more; and

10 WHEREAS, the staff at Klock Werks routinely support and involve themselves in assisting  
11 Bryan and Laura in these many great charitable causes; and

12 WHEREAS, Bryan and Laura have helped raise untold thousands of dollars for these  
13 charitable causes over the years which have been used to positively impact countless lives of  
14 children and adults in South Dakota and throughout the United States; and

15 WHEREAS, Bryan and Laura's leadership, compassion, and selfless dedication are the  
16 hallmarks of great community leaders and represent the type of civic dedication that makes  
17 South Dakota one of the best places to live in America:

18 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
19 State of South Dakota, that Bryan and Laura Klock and their staff at Klock Werks are honored,  
20 commended, and thanked for their kindness, compassion, leadership, and dedication in caring  
21 for their fellow South Dakotans. May you forever take great pride in your efforts to make the  
22 world a better place for so many.

23 HC 1066 Introduced by: Representatives Cronin, Campbell, Craig, Erickson, Feickert,  
24 Haggar (Don), Hoffman, Kaiser, Kopp, Lust, Nelson, Novstrup (David), Rounds, Schoenfish,  
25 Solum, Stalzer, Steele, Stevens, and Tyler and Senator Brown

26 A LEGISLATIVE COMMEMORATION, Honoring Sierra Lutz as the recipient of a 2013  
27 Prudential Spirit of Community Award.

28 WHEREAS, Sierra Lutz, an esteemed resident of Java and a student at Eureka High School,  
29 has achieved national recognition for exemplary volunteer service by receiving a 2013  
30 Prudential Spirit of Community Award; and

31 WHEREAS, this prestigious award, presented by Prudential Financial in partnership with  
32 the National Association of Secondary School Principals, honors young volunteers across  
33 America who have demonstrated an extraordinary commitment to serving their communities;  
34 and

35 WHEREAS, Ms. Lutz earned this award by giving generously of her time and energy to  
36 initiate a project to beautify the park and bathhouses at Eureka Lakeside Park after noticing its

1     rundown state and secured \$600 in donations and recruited volunteers to help her paint picnic  
2     tables and to paint and repair the bathrooms; and

3           WHEREAS, the success of the State of South Dakota, the strength of our communities, and  
4     the overall vitality of American society depend, in great measure, upon the dedication of young  
5     people like Ms. Lutz who use their considerable talents and resources to serve others:

6           NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
7     State of South Dakota, that this legislative body hereby congratulates and honors Ms. Sierra  
8     Lutz as a recipient of the Prudential Spirit of Community Award, recognizes her outstanding  
9     record of volunteer service, peer leadership, and community spirit, and extends best wishes for  
10    her continued success and happiness.

11          HC 1067 Introduced by: Representatives Gibson, Bartling, Feickert, Feinstein, Hawks,  
12     Hawley, Heinert, Hunhoff (Bernie), Kaiser, Killer, Kirschman, Parsley, Peterson, Ring,  
13     Schoenfish, Schrempp, Soli, Tyler, and Wismer and Senators Frerichs, Bradford, Jones, Lucas,  
14     Sutton, and Welke

15     A LEGISLATIVE COMMEMORATION, Honoring Hartman Katz, Reagan Francom, and Matt  
16     Halter of the Huron High School Wrestling Team for participating in the 2013 State Class  
17     A Wrestling Tournament.

18          WHEREAS, Hartman Katz won a State A wrestling title at 152 pounds with a score of nine  
19     to four. He finished the season with a record of forty wins and seven losses; and

20          WHEREAS, Reagan Francom won a State A wrestling title at 160 pounds with a thirty-six  
21     second pin to win his title match. He finished the year with a record of forty wins and four  
22     losses; and

23          WHEREAS, Matt Halter took second place at the state wrestling tournament with an over-  
24     all season record of seventeen wins and two losses:

25          NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
26     State of South Dakota, that the Legislature honors Hartman Katz, Reagan Francom, and Matt  
27     Halter of the Huron High School Wrestling Team for participating in the 2013 State A  
28     Wrestling Tournament.

29          HC 1068 Introduced by: Representatives Gibson, Bartling, Feickert, Feinstein, Hawks,  
30     Hawley, Heinert, Hunhoff (Bernie), Kaiser, Killer, Kirschman, Parsley, Peterson, Ring,  
31     Schoenfish, Schrempp, Soli, Tyler, and Wismer and Senators Frerichs, Bradford, Jones, Lucas,  
32     Sutton, and Welke

33     A LEGISLATIVE COMMEMORATION, Honoring and commending Pace Douglas Clayton  
34     for his military service to the United States of America.



1 WHEREAS, Pace Clayton proudly served as a Private First Class in the United States Army;  
2 and

3 WHEREAS, PFC Pace Clayton was wounded in the line of duty while serving his country  
4 in Afghanistan; and

5 WHEREAS, PFC Pace Clayton received the Commendation Medal, the National Defense  
6 Service Medal (NDSM), the Afghanistan Campaign Medal (ACM), the Global War on  
7 Terrorism Service Medal (GWOTSM), the Army Service Ribbon (ASR), The NATO Medal,  
8 and lastly the Combat Infantryman Badge; and

9 WHEREAS, PFC Pace Clayton was awarded The Purple Heart Medal, a United States  
10 military decoration awarded in the name of the President to those who have been wounded or  
11 killed while serving on or after April 5, 1917, with the U. S. military:

12 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
13 State of South Dakota, that the Legislature honors Private First Class Pace Douglas for his  
14 sacrifice and service to the State of South Dakota and the United States Army.

15 HC 1069 Introduced by: Representatives May, Killer, and Olson (Betty) and Senator Maher  
16 A LEGISLATIVE COMMEMORATION, Commending and Honoring Marcelline J. Lesmeister  
17 for her service to the people of the State of South Dakota.

18 WHEREAS, Marcelline J. Lesmeister has served the Sacred Heart Women's Shelter and has  
19 helped to keep women and children safe from violence; and

20 WHEREAS, Ms. Lesmeister has served the Sacred Heart Family Violence Center and has  
21 helped to keep men, women, and children who were in danger safe from violence:

22 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
23 State of South Dakota, that Marcelline J. Lesmeister be honored for her twenty years of service  
24 to the men, women, and children of the State of South Dakota.

25 HC 1070 Introduced by: Representatives Rounds, Bartling, Bolin, Cammack, Campbell,  
26 Carson, Conzet, Craig, Cronin, Dryden, Duvall, Ecklund, Erickson, Feickert, Feinstein, Gibson,  
27 Gosch, Greenfield, Haggar (Don), Haggar (Jenna), Hajek, Hansen, Hawks, Hawley, Heinemann  
28 (Leslie), Heinert, Hickey, Hoffman, Hunhoff (Bernie), Johns, Kaiser, Killer, Kirschman, Kopp,  
29 Latterell, Lust, Magstadt, May, Mickelson, Miller, Munsterman, Nelson, Novstrup (David),  
30 Olson (Betty), Otten (Herman), Parsley, Peterson, Qualm, Rasmussen, Ring, Romkema, Rozum,  
31 Russell, Schaefer, Schoenfish, Schrempp, Sly, Soli, Solum, Stalzer, Steele, Stevens, Tulson,  
32 Tyler, Verchio, Werner, Westra, Wick, Wink, and Wismer and Senators Monroe, Adelstein,  
33 Bradford, Brown, Ewing, Frerichs, Heineman (Phyllis), Holien, Hunhoff (Jean), Johnston,  
34 Jones, Kirkeby, Krebs, Lederman, Lucas, Maher, Novstrup (Al), Olson (Russell), Omdahl, Otten  
35 (Ernie), Rempelberg, Rave, Rhoden, Soholt, Sutton, Tidemann, Tieszen, Van Gerpen, Vehle,  
36 Welke, and White

1 A LEGISLATIVE COMMEMORATION, Honoring the memory of Milo Smith.

2 WHEREAS, Milo Smith cheerfully served as an Assistant Sergeant at Arms for the Senate  
3 from 1995 through 2000 and an Assistant Sergeant at Arms for the House of Representatives  
4 from 2001 through 2009. He treasured his friendships with legislators and pages and always had  
5 an American flag lapel pin in his pocket to hand to any legislator; and

6 WHEREAS, Milo Smith served in the South Dakota Army National Guard, including active  
7 duty in Alaska during the Korean War. He continued his service to the people of South Dakota  
8 as Commissioner of Motor Vehicles under Governor Archie Gubbrud; and

9 WHEREAS, Milo Smith was an enthusiastic fan, participant, and sponsor of athletics,  
10 particularly baseball. He played Legion and men's amateur baseball in Pierre and was on the  
11 semipro Pierre Cowboys Basin League team. He also sponsored and managed amateur baseball  
12 teams in Pierre during the 1970s and 1980s; and

13 WHEREAS, Milo Smith was a native of Pierre, South Dakota, and a businessman who  
14 shared his love of athletics with many generations who patronized his sporting goods and  
15 athletic equipment businesses. He was an avid supporter of Pierre and the surrounding  
16 communities, serving on several boards and committees dedicated to improving the area. For  
17 decades, he and his wife Peggy supported the VFW and their weekly Friday night events. They  
18 instilled pride in their community and country in their three sons and their families:

19 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
20 State of South Dakota, that family and friends of Milo Smith and fellow citizens be assured of  
21 the Legislature's deep respect for and appreciation of the late Milo Smith.

22 HC 1071 Introduced by: Representatives Rounds and Duvall and Senator Monroe

23 A LEGISLATIVE COMMEMORATION, Honoring T.F. Riggs High School Wrestling Team  
24 of Pierre, South Dakota, for an excellent season and for its victorious performance at the  
25 2013 Class A State Wrestling Tournament.

26 WHEREAS, the Pierre Riggs High School Wrestling Team became the 2013 Class A State  
27 Champions under the guidance and direction of head coach Ryan Noyes, assistant coach Shawn  
28 Lewis, and team volunteers Troy Wiebe, Chad Uhrig, Bill Kaiser, Mike Stroup, and Brandon  
29 Lowery; and

30 WHEREAS, the Pierre Riggs High School Wrestling Team won the Watertown tournament,  
31 the Rapid City Invitational which boasts thirty-two teams from four states, the Valentine  
32 (Nebraska) Invitational, the Mitchell Invitational, the East vs. West Wrestling Duals, the ESD  
33 Tournament, the Region Tournament, and the State Tournament; and

34 WHEREAS, the Pierre Riggs High School Wrestling Team's 2013 dual record was  
35 seventeen to two, with its only two losses to New Jersey and Wisconsin, at The Clash, arguably  
36 the best tournament in the Nation; and

1 WHEREAS, the Pierre Riggs High School Wrestling Team has lost only one dual in South  
2 Dakota in the past three years and has been ESD champions for the past two years; and

3 WHEREAS, ten Pierre wrestlets earned individual Class A State Tournament honors  
4 including: Spencer Sarringar (4<sup>th</sup> place), Jebben Keyes (2<sup>nd</sup> place), Tanner Monfore (6<sup>th</sup> place),  
5 Caleb Stoltenburg (2<sup>nd</sup> place), Seth Scott (3<sup>rd</sup> place), Dawson Monfore (2<sup>nd</sup> place), Kyle  
6 Sarringar (3<sup>rd</sup> place), Trey Maier (2<sup>nd</sup> place), Lane Lettau (3<sup>rd</sup> place), and Dylan Bennett (6<sup>th</sup>  
7 place); and

8 WHEREAS, the Pierre T.F. Riggs High School Wrestling Team exemplified teamwork,  
9 commitment, focus, and sportsmanship in achieving its goals at the South Dakota Class A State  
10 Championship:

11 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the  
12 State of South Dakota, that the Pierre T.F. Riggs High School Wrestling Team be congratulated  
13 on winning the 2013 Class A State Wrestling Tournament.

14 Rep. Steele moved that the House do now adjourn, which motion prevailed and at  
15 7:55 p.m. the House adjourned.

16 Arlene Kvislen, Chief Clerk